



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration
Center for Tobacco Products
Document Control Center
Building 71, Room G335
10903 New Hampshire Avenue
Silver Spring, MD 20993-0002

September 25, 2019

Sent via Email

Austin Evers, Executive Director
American Oversight
1030 15th Street NW, Suite B255
Washington, DC 20005

Re: FOIA Request 2019-6677
Final Response

Dear Mr. Evers:

This is the final response to your July 24, 2019 Freedom of Information Act (FOIA) request to the U.S. Food and Drug Administration (FDA), Center for Tobacco Products (CTP). You requested all records reflecting communications between Food and Drug Administration (FDA) Center for Tobacco Products (CTP) officials and any employee or representative of Ballard Partners. Your request was received in CTP on July 30, 2019.

Your request has been processed under the FOIA, 5 U.S.C. § 552.

A comprehensive search was conducted in CTP's Office of the Director for records responsive to your request. Unfortunately, we were unable to locate or identify responsive records. The program office has advised that they do not have any records responsive to your request.

This concludes the response for CTP. While an adequate search was conducted, you have the right to appeal this determination that no records exist. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision. Your appeal must be mailed within 90 days from the date of this response, to: Agency Chief FOIA Officer, U.S. Department of Health and Human Services, Office of the Assistant Secretary for Public Affairs, Room 729H, 200 Independence Avenue, S.W., Washington, DC 20201; E-mail FOIARequest@PSC.hhs.gov. Please clearly mark both the envelope and your letter or e-mail "**FDA Freedom of Information Act Appeal.**"

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, please contact Noella Goliatha at 301-796-5427 or via email at noella.goliatha@fda.hhs.gov and/or CTPFOIA@fda.hhs.gov. You may also contact the FDA FOIA Public Liaison for assistance at: Division of Freedom of Information, Office of the Executive Secretariat, US Food & Drug Administration, 5630 Fishers Lane, Room 1050, Rockville, MD 20857, E-mail: FDAFOIA@fda.hhs.gov.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road—OGIS, College Park, MD 20740-6001; Telephone 202-741-5770; Toll free 1-877-684-6448; Facsimile 202-741-5769; and E-mail ogis@nara.gov.

We appreciate the opportunity to assist you!

Sincerely,

Jennifer J.
German -S

Digitally signed by
Jennifer J. German -S
Date: 2019.09.25 09:50:48
-0400

For

Marqui Barnes
Chief FOIA Officer
Office of Health Communication and Education
Center for Tobacco Products
U.S. Food and Drug Administration